

### **REMARKS**

Claims 29 and 30 have been amended by deleting the term "OLED" which is not present as an antecedent in claim 1.

Claims 20-22 have been canceled.

Claims 1-31 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8, 12, and 17-33 of copending Application No.10/729,712. A terminal disclaimer suitable for overcoming this rejection is enclosed.

Claims 1-9 and 23-31 have been indicated to contain allowable subject matter. Through the above amendments and cancellations, it is believed that the application is now in condition for allowance.

Submitted herewith is an IDS calling to the Examiner's attention US 2004/0253478 and its provisional priority application 60/457,012. It is noted that the filing date of the published application US 2004/0253478 is not prior to the filing date of the present invention but the filing date of the provisional 60/457,012 is.


The claims of the present invention are directed to a light emitting material in the luminescent layer containing a metal complex of one of the specified metals and a pyrazole compound bearing a fused aromatic ring. The submitted reference appears to be broadly generic as to the type of nitrogen containing ring and the type of substituent groups and shows only one nitrogen atom in the broad statement of the invention.. An azole ring containing two adjacent nitrogen atoms is neither specifically mentioned nor shown. Further, the significance of not only selecting the pyrazole ring but selecting one containing an aromatic ring fused thereto is not recognized by the submitted reference.

Enclosed is a copy of an article entitled "Synthesis and Characterization of Facial and Meridional Tris-cyclometallated Iridium (III) Complexes", JACS, 125, 7377-7387 (2002). In the first sentence of the first full paragraph on page 7386, it is stated that phenylpyrazolyl-based compounds are very weak emitters. The present invention is based on the discovery that the presence of an aromatic ring fused to the azole ring provides a needed advantage over the expectations for the compounds of the art. The data in the present application demonstrates much better luminance efficiency. The art does not

teach, disclose, nor suggest a fused ring on the pyrazole ring to obtain improved emission.

In view of the foregoing amendments, the enclosed documents, and the foregoing remarks, the Examiner is respectfully requested to withdraw the outstanding rejection and to pass the subject application to Allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Kluegel', written over a horizontal line.

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If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.

**Encl: Terminal Disclaimer**  
**JACS Article**  
**Supplemental IDS**